



11/9/04

## FINAL PASSAGE

### **SB 735 (Allen)**

SB 735 would make it easier for the operators of tourist attractions to guide visitors directly to their location. Currently, with Michigan Department of Transportation approval, an operator may post a directional sign along the portion of a rural road outside the limits of a city, village, or township, but cannot post anything to help guide motorists once they have driven into the municipality. A person driving in unfamiliar territory can become lost. He or she might not be able to call for directions, or might not listen carefully when verbal directions are given. The bill would do a great deal to eliminate the trouble some drivers encounter when trying to find local tourist attractions, which could help boost economic activity.

- **SB 735 passed [RC 758: 37 yes, 0 no].**

### **SB 925 (McManus)**

SB 925 gives limited liability protection for prescribed burns that met a series of conditions. The bill would provide that a property owner would not be liable for damage or injury caused by the fire or smoke from a prescribed burn, and would not be liable for fire suppression costs incurred by the State or a local unit of government.

- **SB 925 passed [RC 759: 37 yes, 0 no].**

### **SB 1081 (Johnson)**

SB 1081 would eliminate current language that requires the Michigan Department of Transportation to provide technical assistance to local transportation and planning agencies. Also, the bill would prohibit MDOT from contracting with public organizations to perform ridesharing matching programs, unless a private organization were not available. Under the bill, the Department still would be required to contract with private organizations to perform ridesharing matching programs. The bill also would strike a current requirement.

10/6:

- *PRUSI 1 (S-2) was defeated [no RC]. This would have limited the reduction in ride share funding to one year.*
- *Johnson 2 (1 amend) was adopted [no RC].*
- *SB 1081 passed [RC 729: 22 yes, 16 no]. The vote passing the bill was reconsidered and postponed temporarily.*

11/9:

- Hammerstrom withdrew her motion to reconsider passage.

### **SB 1458 (Birkholz)**

SB 1458 would restrict the manufacture, process, and distribution of materials containing more than 1/10 of 1% of PBDE. PBDEs, also known as polybrominated diphenyl ether, are chemicals that have been used as flame retardants in consumer materials including electronics. PBDEs are bio-accumulative which means that they build up in the human body and persist even after the exposure has been limited. A recent study showed that women in the Great Lakes area have the third highest level of PBDEs in breast milk compared to those tested nationally. Great Lakes Chemical is the only US company to manufacture the two types of PBDEs is located in the Great Lakes basin.

- Birkholz 1 (S-2) was adopted.
- Birkholz 1A (1 amend) was adopted.
- SB 1458 was moved to 3<sup>rd</sup> Reading.
- SB 1458 passed [RC 762: 37 yes, 0 no].

### **HB 4458 (Rocca)**

HB 4458 would permit alcoholic liquor sold by retailers to be sold at a price equal to or greater than the minimum retail selling price fixed by the Liquor Control Commission. This would lift the maximum price a retailer could charge.

Support: Michigan Beer and Wine Wholesalers, Associated Food Dealers of Michigan, Michigan Retailers Association, Michigan Licensed Beverage Association, Michigan Grocers Association.

- BRATER 1 was defeated [RC 755: 12 yes, 24 no]. Tie-bar to SB 914 (Cropsey) which would provide additional money for fire protection grants to local areas with state-owned property.
- HB 4458 passed with IE [RC 756: 29 yes, 8 no].

### **HB 4703 (WHITMER)**

HB 4703 would increase construction permit and license fees for campgrounds and public swimming pools. The proposed campground fees would raise about \$215,700.

- HB 4703 passed with IE [RC 757: 27 yes, 10 no].

### **HB 5947 (Palmer)**

### **HB 5970 (Newell)**

HB 5947 and HB 5970 would provide that a rebate or discount to a consumer for specific health services would not violate a prohibition against giving or receiving a kickback or bribe, or receiving a rebate for referring an individual to another person for the furnishing of health care benefits.

House Bill 5947 would apply to a rebate or discount from a medical supply or device manufacturer, or from a company that licenses or distributes medical supplies or devices for a manufacturer to a consumer for his or her use of a medical supply or device manufactured, licensed, or distributed by that manufacturer or company.

- HB 5947 passed with IE [RC 760: 37 yes, 0 no].

House Bill 5970 would apply to a drug manufacturer or a company that licenses or distributes the drugs of a manufacturer to a consumer for his or her use of a drug manufactured, licensed, or distributed by that manufacturer or company.

- **HB 5970 passed with IE [RC 761: 37 yes, 0 no].**

## THIRD READING

### **SBs 683-86 (Bipartisan)**

SB 683 would provide that an individual who is noncompliant with treatment and, as a result, has been placed in a psychiatric hospital, prison or jail within the last 36 months or whose noncompliance has been a factor in them committing illegal acts within the last 48 months is eligible to receive outpatient assisted living.

Support: Treatment Advocacy Center, Family of Kevin Heisinger, MI Osteopathic Assn., MI Psychiatric Society, Judge William. Earvin, Mt. Pleasant.

Oppose: MI Protection and Advocacy Services.

- **Committee 1 (S-1) was adopted.**
- **SB 683 was moved to 3<sup>rd</sup> Reading.**

SB 684 would allow any individual at least 18 years old to file a petition with the court asserting that a person met the criteria for assisted outpatient treatment which Senate Bill 683 would add. The petition would have to contain the facts that were the basis for the assertion; the names and addresses, if known, of any witnesses to the facts; and the name and address of the nearest relative or guardian, if known, or, if none, a friend, if known, of the subject of the petition.

- **Committee 1 (S-2) was adopted.**
- **Patterson 1A (1 amend) was adopted. Technical change.**
- **SB 684 was moved to 3<sup>rd</sup> Reading.**

SB 685 would add that an initial order of assisted outpatient treatment could not exceed 180 days. An initial order for combined hospitalization and assisted outpatient treatment could not exceed 180 days, with the hospitalization portion being not more than 60 days.

- **Committee 1 (S-1) was adopted.**
- **SB 685 was moved to 3<sup>rd</sup> Reading.**

SB 686 would include intensive case management services or assertive community treatment team services to provide care coordination. Assisted outpatient treatment also could include one or more of the following categories of services: 1) Medication. 2) Periodic blood tests or urinalysis to determine compliance with prescribed medications. 3) Individual or group therapy. 4) Day or partial day programming activities. 5) Vocational, educational, or self-help training or activities. 6) Alcohol or substance abuse treatment and counseling. 7) Periodic testing for alcohol or illegal drugs for a person with a history of alcohol or substance abuse. 8) Supervision of living arrangements.

- **Committee 1 (S-2) was adopted.**

- SB 686 was moved to 3<sup>rd</sup> Reading.

### **SBs 1153-57 (Bipartisan)**

SB 1153 would require the state to contract with one or more providers to develop, supply and score the Michigan Merit Exam, a college entrance test, which would replace the existing high school MEAP test. The concept was originated with the Michigan Association of Secondary School Principals recommendation to switch from the high school MEAP to an ACT developed examination that would be a college entrance exam. The tests is to measure English, mat, reading and science, social studies, a student's ability to apply reading and math skills in a manner that employers could use to make employment decisions. The test would be administered between March 1 and June 1 to eleventh grade students.

- Committee 1 (S-1) was defeated.
- Kuipers 2 (S-2) was adopted.
- SB 1153 was moved to 3<sup>rd</sup> Reading.

SB 1154 require that, beginning in the 2006-07 school year, a high school student wishing to enroll in postsecondary or career and technical courses, achieve a qualifying score on a "readiness assessment", instead of earning State endorsements on the high school proficiency exam. The readiness assessment would have to be a national, curriculum-based achievement test based on State standards.

- Committee 1 (S-1) was adopted.
- SB 1154 was moved to 3<sup>rd</sup> Reading.

SB 1155 would require that beginning in the 2006-07 school year, students would take a Michigan Merit Exam instead of the current high school proficiency exam. The test would be a curriculum based achievement test used for college entrance or allowing employers to make employment decisions.

- Committee 1 (S-1) was defeated.
- Jelinek 2 (S-2) was adopted.
- SB 1155 was moved to 3<sup>rd</sup> Reading.

SB 1156 would require that, in order to be eligible to receive a Michigan Merit Scholarship, a student receive qualifying results on the Michigan Merit Exam instead of on the high school proficiency exam.

- Committee 1 (S-1) was defeated.
- Van Woerkom 2 (S-2) was adopted.
- SB 1156 was moved to 3<sup>rd</sup> Reading.

SB 1157 would amend the Career and Technical Preparation Act to change references from students eligible to participate as a result of state endorsement in subject areas to achieving qualifying scores on a readiness assessment. The change would begin with the 2006-07 school year. The state superintendent shall approve the readiness assessments used to determine eligibility and determine the qualifying scores.

- Committee 1 (S-1) was adopted.
- SB 1157 was moved to 3<sup>rd</sup> Reading.

### **SB 1185 (Cassis)**

SB 1185 creates a “reasonable cause” defense to business personal property tax underreporting, and also provides the Tax Commission the discretion to waive penalties and interest for no specified reason. The bill also lowers the amount of penalty and interest that can be charged. As part of the 2004 budget, we created an amnesty period for underreported and unreported personal property taxes which replicated the homestead underreporting provision. That is, personal (business) property taxes were treated the same as individual, homestead taxes.

Support: Michigan Chamber of Commerce, SBAM, DTE Energy.

Oppose: MTA, MAC, MML.

- Committee 1 (S-1) was defeated.
- Cassis (S-2) was adopted.
- SB 1185 was moved to 3<sup>rd</sup> Reading.

### **SB 1341 (Birkholz)**

SB 1341 amends the State Housing Development Authority Act to reauthorize MSHDA as is required every three (3) years. MSHDA provides for affordable, safe, quality housing.

Support: SEMCOG, MSHDA, MI Housing Council, Habitat for Humanity, MI Assn. of Home Bldrs., MI Assn. of Realtors, MI Bankers Assn., MML, Community Economic Development Assn. of MI.

- Committee 1 (S-1) was adopted.
- SB 1341 was moved to 3<sup>rd</sup> Reading.

### **SB 1416 (Birkholz)**

SB 1416 would shorten the approval process of a chart or map for the subdivision of land. The bill is a result of the Land Use Leadership Council’s recommendations. The bill will speed up approvals by variously agencies by scheduling them consecutively instead of concurrently. The bill will allow for the approving agencies to meet in advance of the approval process to review the submission. This practice is already in affect in many counties.

Support: DLEG, Realtors, MEC, MTA, MAC.

- Committee 1 (S-3) was adopted.
- Birkholz 1A (4 amends) was adopted.
- SB 1416 was moved to 3<sup>rd</sup> Reading.

### **SB 1453 (Cropsey)**

SB 1453 would allow the state to establish a renaissance zone in the city of Greenville (Montcalm County).

- Committee 1 (S-1) was adopted.
- SB 1453 was moved to 3<sup>rd</sup> Reading.

### **SBs 1464-72 (Bipartisan)**

Support: MI Psychiatric Assn., Mental Health Assn., MI Protection and Advocacy, DCH.

SB 1464 would allow an individual to designate a patient advocate to exercise powers regarding his or her mental health treatment decisions, and allow an individual to include in a patient advocate designation a statement of his or her desires on mental health treatment.

- Committee 1 (S-1) was adopted.
- SB 1464 was moved to 3<sup>rd</sup> Reading.

SBs 1465-67 would to change citations to sections of the Estates and Protected Individuals Code (EPIC).

- SB 1465 was moved to 3<sup>rd</sup> Reading. No amendments.
- SB 1466 was moved to 3<sup>rd</sup> Reading. No amendments.
- SB 1467 was moved to 3<sup>rd</sup> Reading. No amendments.

SB 1468 would revise the definition of "formal voluntary hospitalization".

- Committee 1 (S-1) was adopted.
- SB 1468 was moved to 3<sup>rd</sup> Reading.

SB 1469 would include a patient advocate for an individual's mental health treatment decisions among the people who must be notified if a hospitalized patient is transferred to another facility.

- Committee 1 (S-1) was adopted.
- SB 1469 was moved to 3<sup>rd</sup> Reading.

SB 1470 would include a person applying for the admission of an individual to a hospital or alternative treatment program, among the people who may request a second opinion if admission is denied.

- Committee 1 (S-1) was adopted.
- SB 1470 was moved to 3<sup>rd</sup> Reading.

SB 1471 would revise the individuals who may be considered for admission to a hospital operated by the Department of Community Health or under contract with a community mental health services program.

- Committee 1 (S-1) was adopted.
- SB 1471 was moved to 3<sup>rd</sup> Reading.

SB 1472 would include a patient advocate for mental health treatment decisions among the people who may execute an application for formal voluntary hospitalization.

- Committee 1 (S-1) was adopted.
- SB 1472 was moved to 3<sup>rd</sup> Reading.

**HB 5457 (Palmer)**

**HB 5475 (Bradstreet)**

**HB 5627 (Ruth Johnson)**

**HB 5839 (Ruth Johnson)**

**HB 5850 (Ruth Johnson)**

**HB 5851 (Ruth Johnson)**

**HB 5921 (Ruth Johnson)**

## INTERMEDIATE SCHOOL DISTRICT ACCOUNTABILITY

HB 5457 would require the Department of Treasury to direct independent random financial audits of intermediate school districts, paid for by the State of Michigan. The bill specifies that in addition to the annual audit required of intermediate school districts under the law, an intermediate school district (ISD) could be subject to an audit by the Department of Treasury, if selected when the department announced the ISDs that would be audited each year. Under the bill, the department would direct the audit of five ISDs every two years

- Committee 1 (S-3) was defeated.
- Kuipers 2 (S-4) was adopted.
- Jelinek 2A (1 amend) was withdrawn.
- Jelinek 2B (1 amend) was adopted.
- HB 5457 was moved to 3<sup>rd</sup> Reading.

HB 5475 would require the Center for Educational Performance and Information to annually submit information for each intermediate school district to the Department of Education for the immediately preceding school fiscal year, and the department would post the information on its website.

- Committee 1 (S-2) was defeated.
- Kuipers 2 (S-3) was adopted.
- HB 5475 was moved to 3<sup>rd</sup> Reading.

HB 5627 would require intermediate school districts report all information required under House Bill 5475 to the Center for Educational Performance and Information (CEPI).

- Committee 1 (S-1) was adopted.
- HB 5627 was moved to 3<sup>rd</sup> Reading.

HB 5839 would specify that an intermediate school districts that levied taxes for area vocational-technical education program operating purposes, and also for special education operating purposes, would be required to submit to the Department of Treasury the audits.

- Committee 1 (S-2) was defeated.
- Kuipers 2 (S-3) was adopted.
- HB 5839 was moved to 3<sup>rd</sup> Reading.

HB 5850 would provide penalties for the misuse of school district or intermediate school district funds.

- Committee 1 (S-2) was defeated.
- Kuipers 2 (S-3) was adopted.
- HB 5850 was moved to 3<sup>rd</sup> Reading.

HB 5851 would create the sentencing guidelines for two new crimes -- the first, failing to comply with school competitive bidding processes; and the second, the improper use of school bond proceeds. In both instances the crimes would be categorized as crimes against the public trust, and the state maximum incarceration would be for a period of one year.

- HB 5851 was moved to 3<sup>rd</sup> Reading. No amendments.

HB 5921 would create a conflict of interest policy for intermediate school district officials and employees, and also specify that not more than three intermediate school district board members could also be serving as members of the boards of constituent districts, or as directors of public school academies (a limitation that would apply at the expiration of the current terms of those now serving on both boards).

- Committee 1 (S-1) was defeated.
- Kuipers 2 (S-2) was adopted.
- HB 5921 was moved to 3<sup>rd</sup> Reading.

#### **HB 5529 (MURPHY)**

HB 5529 would allow the state administrative board to convey state owned property in Ingham County to the city of Lansing for one dollar. This parcel of land is located at the Groesbeck municipal golf course.

- Hardiman 1 (S-2) was adopted.
- Hardiman 1A (1 amend) was adopted.
- HB 5529 was moved to 3<sup>rd</sup> Reading.

#### **HB 5843 (LaJoy)**

HB 5843 would explicitly permit townships to contract out its police and fire services to cities, villages, and other townships. Under current law, the authority of a township to provide its services to another township is merely implied.

- HB 5843 was moved to 3<sup>rd</sup> Reading. No amendments.

## **APPOINTMENTS**

#### **Michigan Tax Tribunal**

- The Senate confirmed Sherry Lee to the Michigan Tax Tribunal [RC 753: 37 yes, 0 no].
- The Senate confirmed Judith Trepcek to the Michigan Tax Tribunal [RC 754: 37 yes, 0 no].